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20 MAY 2003

In re Application of:	:	
Christophe LELEU	:	DECISION ON
PCT No.: PCT/FR00/00484	:	
Application No.: 09/914,512	:	
Int. Filing Date: 25 February 2000	:	SECOND RENEWED
Priority Date: 03 March 1999	:	
Attorney's Docket No.: 74.0241	:	PETITION UNDER
For: A METHOD AND APPARATUS FOR ...	:	
PARTICULAR AN ULTRASOUND SIGNAL	:	37 CFR 1.47(b)

This decision is in response to applicant's "SECOND RENEWED PETITION UNDER 37 CFR 1.47(b)" submitted on 14 April 2003 in response to a decision mailed by this Office on 13 February 2003.

**BACKGROUND**

The decision by this Office dated 13 February 2002 indicated that requirements (4) and (5) under 37 CFR 1.47(b) were not satisfied because the declaration was signed by Gerald Gallez, who had not shown that Actaris is the current party of interest for the above application.

On October 8, 2002 petitioner allegedly filed supplemental papers to renewed petition under 37 CFR 1.47(b) originally faxed on September 27, 2002 including a declaration now executed by previously sole non-signing inventor, Christophe, LELEU.

On November 12, 2002 a second supplemental papers to renewed petition under 37 CFR 1.47(b) originally faxed September 27, 2002 included with submission, inter alia, a translation of the patent application assignment agreement.

On 14 April 2003, petitioner filed this instant petition accompanied, inter alia, by a copy of an executed declaration by the previously non-signing inventor Christophe Leleu, and a copy of the postcard showing a date of submission on 08 October 2002.

## **DISCUSSION**

### **Petition filed on 08 October 2002:**

The postcard lists the items submitted on 08 October 2002 and it indicates, *inter alia*, an executed declaration was submitted on such date.

MPEP 503 provides:

A postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the PTO of all the items listed thereon on the date stamped thereon by the PTO.

Petitioner's postcard receipt serves as *prima facie* evidence of receipt of the listed items, an executed declaration by inventor Christophe Leleu on 08 October 2002, by the USPTO.

### **Petition filed under 37 CFR 1.47(b):**

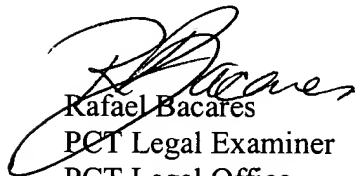
The petition states that following the submission of the renewed petition, the non-signing inventor, Christophe Leleu returned to petitioner's undersigned representative, an executed declaration. Thus, the declaration is now signed by the sole non-signing inventor Christophe Leleu.

Accordingly, the declaration submitted on 08 October 2002 complies with 37 CFR 1.497(a) and (b).

## **CONCLUSION**

The petition under 37 CFR 1.47(b) is **MOOT**.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing consistent with this decision. The 35 USC 371 date of this application is **08 October 2002**.

  
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